

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

| | | |
|---------------------------|---|----------------------|
| United States of America, |) | |
| |) | |
| Plaintiff, |) | ORDER |
| |) | |
| vs. |) | |
| |) | |
| James Richard Sauder, |) | |
| |) | Case No. 4:10-mj-028 |
| Defendant. |) | |

The defendant, James Richard Sauder (Sauder), is charged in a complaint with a Class B misdemeanor, i.e., unlawfully entering military property in violation of 18 U.S.C. § 1382. This matter has been set for a court trial on May 21, 2010, at 10:00 a.m. in Minot before the undersigned.

On April 26, 2010, Sauder filed a motion requesting a jury trial. He is not entitled to jury trial, however, as the offense with which he has been charged carries a term of imprisonment of six months or less. See 18 U.S.C. § 1382; United States v. Jardee, No. 4:09-mj-091, 2010 WL 565242m, at *2 (D.N.D. February 12, 2010). His motion (Docket No. 15) is therefore **DENIED**.

IT IS SO ORDERED.

Dated this 26th day of April, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge